

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

LUKE PRIEUR,

Plaintiff,

Case No. 13-cv-12409
Hon. Matthew F. Leitman

v.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

/

**ORDER (1) ADOPTING REPORT & RECOMMENDATION
(ECF #27) AND (2) GRANTING PLAINTIFF'S MOTION
FOR ATTORNEY FEES (ECF #23)**

On December 10, 2014, Plaintiff Luke Prieur filed a Motion for Attorney Fees pursuant to 28 U.S.C. § 2412(d)(1)(A). (*See* the “Motion,” ECF #23.) In response, Defendant Commissioner of Social Security stated that it “ha[d] no objection to Plaintiff’s request.” (ECF #25 at 3, Pg. ID 780.)

On December 19, 2014, Magistrate Judge R. Steven Whalen issued a Report and Recommendation recommending that the Court grant the Motion. (*See* the “R&R,” ECF #27.) The R&R stated that the parties could object to and seek review of the recommendation within fourteen days. (*See* the R&R at 5, Pg. ID 788.) Neither party has objected to the R&R. Failure to file objections to the R&R waives any further right to appeal. *See Howard v. Sec'y of Health and Human*

Servs., 932 F.2d 505 (6th Cir. 1991); *Smith v. Detroit Fed'n of Teachers Local 231*, 829 F.2d 1370, 1373 (6th Cir. 1987). Likewise, the failure to object to the Magistrate Judge's R&R releases the Court from its duty to independently review the matter. *See Thomas v. Arn*, 474 U.S. 140, 149 (1985). The Court has nevertheless reviewed the R&R and agrees with the findings and conclusions of the Magistrate Judge.

Therefore, **IT IS HEREBY ORDERED** that the Magistrate Judge's December 19, 2014, R&R (ECF #27) is **ADOPTED** as the Opinion of this Court. **IT IS FURTHER ORDERED**, for the reasons stated in the R&R, that Plaintiff's December 10, 2014, Motion for Attorney Fees (ECF #23) is **GRANTED**.

s/Matthew F. Leitman
MATTHEW F. LEITMAN
UNITED STATES DISTRICT JUDGE

Dated: January 12, 2015

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on January 12, 2015, by electronic means and/or ordinary mail.

s/Holly A. Monda
Case Manager
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